

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN NURSING**
239 Causeway Street, Room 417A
Boston, MA 02114

Minutes of the Regularly Scheduled Board Meeting
Wednesday, August 9, 2017

Board Members Present

B. Levin RN, Chair
L. Keough, CNP, Vice Chair
J. Killion, LPN
C. LaBelle, RN
J. Fantes, MD
G. Dufault, LPN
D. Zucker, RN
D. Drew, Public Member
P. Noonan, RN
L. Kelly, CNP
N. Murphy, LPN

Board Members Not Present

Staff Present

L. Silva, RN, DNP, Executive Director
C. MacDonald, RN, DNP, Deputy Executive Director
K. Ashe, RN, Nursing Education Coordinator
O. Atueyi, JD, Board Counsel
H. Cambra, RN, JD, Complaint Resolution Coordinator
D. M. DeVaux, RN, SARP Coordinator
M. Gilmore, RN, SARP Coordinator
A. Fein, RN, JD, Complaint Resolution Coordinator
K. Keenan, Licensing Coordinator
B. Oldmixon, Board Counsel
K. Fishman, Probation Monitor
L. Ferguson, Paralegal
K. Jones, Probation Monitor

Staff Not Present

A. MacDonald, RN, Nursing Education Coordinator
L. Talarico, CNP, Nursing Practice Coordinator

TOPIC:

Call to Order & Determination of Quorum

DISCUSSION:

A quorum of the Board was present. B. Levin stated the meeting was being recorded and introduced the Board member N. Murphy.

ACTION:

At 9:00 a.m., B. Levin, Chairperson, called the August 9, 2017 Regularly Scheduled Board Meeting to order.

TOPIC:

III A 9 Aug 17 Regular Minutes
(Approved 09/13/2017)

Approval of Agenda

DISCUSSION:

None.

ACTION:

Motion by J. Killion, seconded by L. Keough, and unanimously passed to approve the agenda as presented.

TOPIC:

Approval of Board Minutes for the July 12, 2017 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by J. Killion, and unanimously passed to accept the Minutes of the July 12, 2017, Regularly Scheduled Board Meeting.

TOPIC:

Reports, Announcements and Administrative Matters

- A. Executive Director's Report
- B. Announcements

DISCUSSION:

- A. Executive Director's Report:
- B. Board members and staff introduced themselves.

ACTION:

So noted.

TOPIC: SARP

SARP Activity Report

DISCUSSION:

M. Gilmore was available for questions.

ACTION:

So noted.

TOPIC: Probation

Probation Staff Action Report

DISCUSSION:

K. Jones was available for questions.

ACTION:

So noted.

TOPIC: Probation

Notice of Violation in the matter of Nancy Aucoin, License No. RN233703, Docket No. NUR-2011-0073

DISCUSSION:

K. Jones presented the case to the Board. The licensee was required to successfully complete her Vermont probation and maintain a current license in Massachusetts. The licensee let her Massachusetts license expire in 2016. The licensee was notified by the probation monitor that her license was expired but failed to respond or renew her license. The licensee contacted the probation monitor once a notice of violation was sent and stated that she would renew her license but has failed to do so as of this time. D. Drew asked if there were any further communication and K. Jones stated that the licensee had not responded since the 3rd. O. Atueyi explained the probation terms to the Board and the options available to the Board. D. Zucker asked about offering a non-disciplinary agreement.

ACTION:

Motion by D. Zucker, seconded by D. Drew, and unanimously passed to offer a non-disciplinary agreement due to out of state discipline that would become a notice of violation and suspension if there is no response.

TOPIC: Practice

Practice Coordinator Staff Report

DISCUSSION:

None.

ACTION:

So noted.

TOPIC: Education

- A. Nursing Education Staff Report
- B. 244 CMR 6.04(1)(c)&(1)(f) Administrative Changes
 - 1. Becker College, CEO
 - 2. Bristol Community College, CEO
 - 3. Laboure College, CEO
 - 4. Becker College, Program Administrator
 - 5. Holyoke Community College, Program Administrator
 - 6. MassBay Community College, Program Administrator
 - 7. Northern Essex Community College, Program Administrator
- C. 244 CMR 6.11 Discontinuation/Termination of an Approved Nursing Education Program; Bunker Hill Community College, PN Program
- D. 244CMR 6.06(2) Site Survey Waiver Request Signature Health Care Brockton Hospital Diploma Program

DISCUSSION:

- A. K. Ashe presented the staff report to the Board. D. Drew asked for a clarification on high stakes testing.
- B. K. Ashe presented the Administrative Changes to the board.

C. K. Ashe presented the report to the Board.

D. K. Ashe introduced the director of the program and presented the report to the Board.

ACTION:

- A. So noted.
- B. Motion by J. Killion, seconded by L. Keough, and unanimously passed to accept the Administrative changes.
- C. Motion by G. Dufault, seconded by C. LaBelle, and unanimously passed to: Find that Bunker Hill Community College has provided satisfactory notification of its intent to discontinue the College's Practical Nursing Program.
- D. Motion by J. Killion, seconded by L. Keough, and unanimously passed to:
 - 1. Accept the staff compliance report;
 - 2. Grant waiver of 244 CMR 6.06(1)(a) finding written evidence of the program's full accreditation; the program's report evaluating its compliance with the accreditation standards of the Accreditation Commission for Education in Nursing (ACEN) the written findings and recommendations of the ACEN review of the program.
 - 3. Continue Full Approval
 - 4. Direct the program to demonstrate full compliance with regulation 244 CMR 6.04(3)(a) 1. by submitting a revised written policy demonstrating compliance with the immunization requirements specified by the Massachusetts Department of Public Health; and a plan developed by faculty ensure the policy's implementation as it is published. Submission due by September 18, 2017.

TOPIC: Requests for License Reinstatement

Susannah L. Hawkes-Kelleher, NUR- 2015-0026, LN32462

DISCUSSION:

L. Ferguson presented the case to the Board. L. Ferguson recommended the Board reinstate the license after one-day suspension as the licensee had met all of the requirements.

ACTION:

Motion by L. Keough, seconded by C. LaBelle, and unanimously passed to reinstate the license.

TOPIC: Requests for License Reinstatement

Mary Ellen Forster, NUR-2015-0189, RN173437

DISCUSSION:

L. Ferguson presented the case to the Board. L. Ferguson recommended the Board reinstate the license after one-day suspension as the licensee had met all of the requirements. O. Atueyi explained the history of both cases to the Board.

ACTION:

Motion by L. Keough, seconded by J. Fantes, and unanimously passed to reinstate the license.

TOPIC: Strategic Development, Planning, and Evaluation

- A. Systematic Policy Evaluation: None
- B. Presentation/Report: None

- C. Regulatory Review Update
- D. Staff Action policy for Reinstatement Petitions
- E. Topics for Next Agenda

DISCUSSION:

C. V. Berg updated the Board on the Regulatory review process. D. Drew asked about the changes and if they were in effect yet.

D. V. Berg presented the policy to the Board.

ACTION:

C. So noted.

D. Motion by J. Killion, seconded by L. Keough, and unanimously passed to accept the Staff Action policy for Reinstatement Petitions.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None

ACTION:

Motion by D. Zucker, seconded by D. Drew, and unanimously passed by roll call vote to go into Executive Session at 10:05 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 10:05 a.m. to 11:14 a.m.

TOPIC:

G.L. c. 112, s. 65C Session

DISCUSSION:

None

ACTION:

Motion by ◇, seconded by ◇, and unanimously passed to go into G.L. c. 112, s. 65C Session at 11:34 a.m.

G.L. c. 112, s. 65C Session 11:34 a.m. to 2:08 p.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None

ACTION:

Motion by ◇, seconded by ◇, and unanimously passed to go into Adjudicatory Session at 2:08 p.m. to discuss decisions in pending adjudicatory matters.

Adjudicatory Session 2:08 p.m. to 2:12 p.m.

TOPIC:

Adjournment

DISCUSSION:

None

ACTION:

Motion by D. Drew, seconded by G. Dufault, and unanimously passed to adjourn the meeting at 2:12 p.m.

Minutes of the Board's August 9, 2017, Regularly Scheduled Meeting were approved by the Board on September 13, 2017.

Barbara Levin, RN
Chairperson
Board of Registration in Nursing

Agenda with exhibits list attached.

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

Notice of the Regularly Scheduled Meeting

Regular Session

239 Causeway Street
Room 417
Boston, Massachusetts 02114

Wednesday, August 9, 2017

PRELIMINARY AGENDA AS OF 7/21/17

Estimated Time	Item #	A. Item	Exhibit	Presented by
9:00 a.m.	I.	B. CALL TO ORDER & DETERMINATION OF QUORUM	None	
	II.	APPROVAL OF AGENDA	Agenda	
	III.	APPROVAL OF MINUTES A. Draft Minutes for the July 12, 2017 Meeting of the <i>Board of Registration in Nursing, Regular Session</i>	Minutes	
	IV.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Executive Director's Report B. Announcements	Oral/Memo	LS
	V.	SARP A. SARP Activity Report	Memo	MG/DMD
	VI.	PROBATION A. Probation Staff Action Report B. Notice of Violation in the matter of Nancy Aucoin , License No. RN233703, Docket No. NUR-2011-0073	Memo Memo	KF KF
	VII.	PRACTICE A. Practice Coordinator Staff Report	Memo	LT

	XIII.	M.G.L. c. 30A, § 18 ADJUDICATORY SESSION	CLOSED SESSION	
2:00 p.m.	XIV.	ADJOURNMENT		